

**Amendment and Response**

Applicant: David C. Chu et al.

Serial No.: 10/668,851

Filed: September 23, 2003

Docket No.: 10030919-1 (A310.167.101)

Title: PHASE DIGITIZER FOR SIGNALS IN IMPERFECT QUADRATURE

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**REMARKS**

The following remarks are made in response to the Office Action mailed September 22, 2004. Claim 11 has been cancelled without prejudice. Claims 15-39 have been allowed. Claims 1-8 were rejected. Claims 9-14 have been objected to. With this Response, claim 1 has been amended. Claims 1-10 and 12-39 remain pending in the application and are presented for reconsideration and allowance.

**Drawing Objections**

Figure 4 is objected to because it does not agree with the Specification. Figure 4 has been amended to clearly show that the other input of adder 260 is electrically coupled to the output of circuit 208 through path 209. Therefore, withdrawal of the objection to Figure 4 is respectfully requested.

**Claim Rejections under 35 U.S.C. § 102 and Allowable Subject Matter**

The Examiner rejected claims 1-8 under 35 U.S.C. § 102(b) as being anticipated by the Croisier U.S. Patent No. 3,825,767.

The Examiner rejected claims 1 and 6 under 35 U.S.C. § 102(b) as being anticipated by the Clark et al., U.S. Patent No. 3,956,623.

Claims 15-39 are allowed.

The Examiner objected to claims 9-14 for being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all limitations of the base claim and any intervening claims and if rewritten to overcome the 35 U.S.C. § 112 rejections.

Claim 1 has been amended to include the limitations of objected to claim 11. Therefore, claim 1 is allowable over the art of record. Dependent claims 2-10 and 12-14 further define independent claim 1. Accordingly, dependent claims 2-10 and 12-14 are also allowable over the art of record.

Therefore, Applicant respectfully requests that the above rejections and objections be removed and that claims 1-10 and 12-14 be allowed.

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**CONCLUSION**

In view of the above, Applicant respectfully submits that, in addition to allowed claims 15-39, pending claims 1-10 and 12-14 are in form for allowance and are not taught or suggested by the cited references. Therefore, reconsideration and withdrawal of the rejections and formal allowance of all pending claims 1-10 and 12-39 is respectfully requested.

No fees are required under 37 C.F.R. 1.16(b)(c). However, if such fees are required, the Patent Office is hereby authorized to charge Deposit Account No. 50-1078.

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The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application.

Any inquiry regarding this Amendment and Response should be directed to either June L. Bouscaren at Telephone No. (970) 679-3238, Facsimile No. (970) 679-5772 or Patrick G. Billig at Telephone No. (612) 573-2003, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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Respectfully submitted,

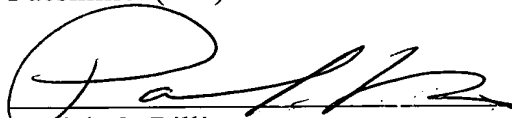
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**CERTIFICATE UNDER 37 C.F.R. 1.8:** The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope address to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 22 day of December, 2004.

By 

Name: Patrick G. Billig

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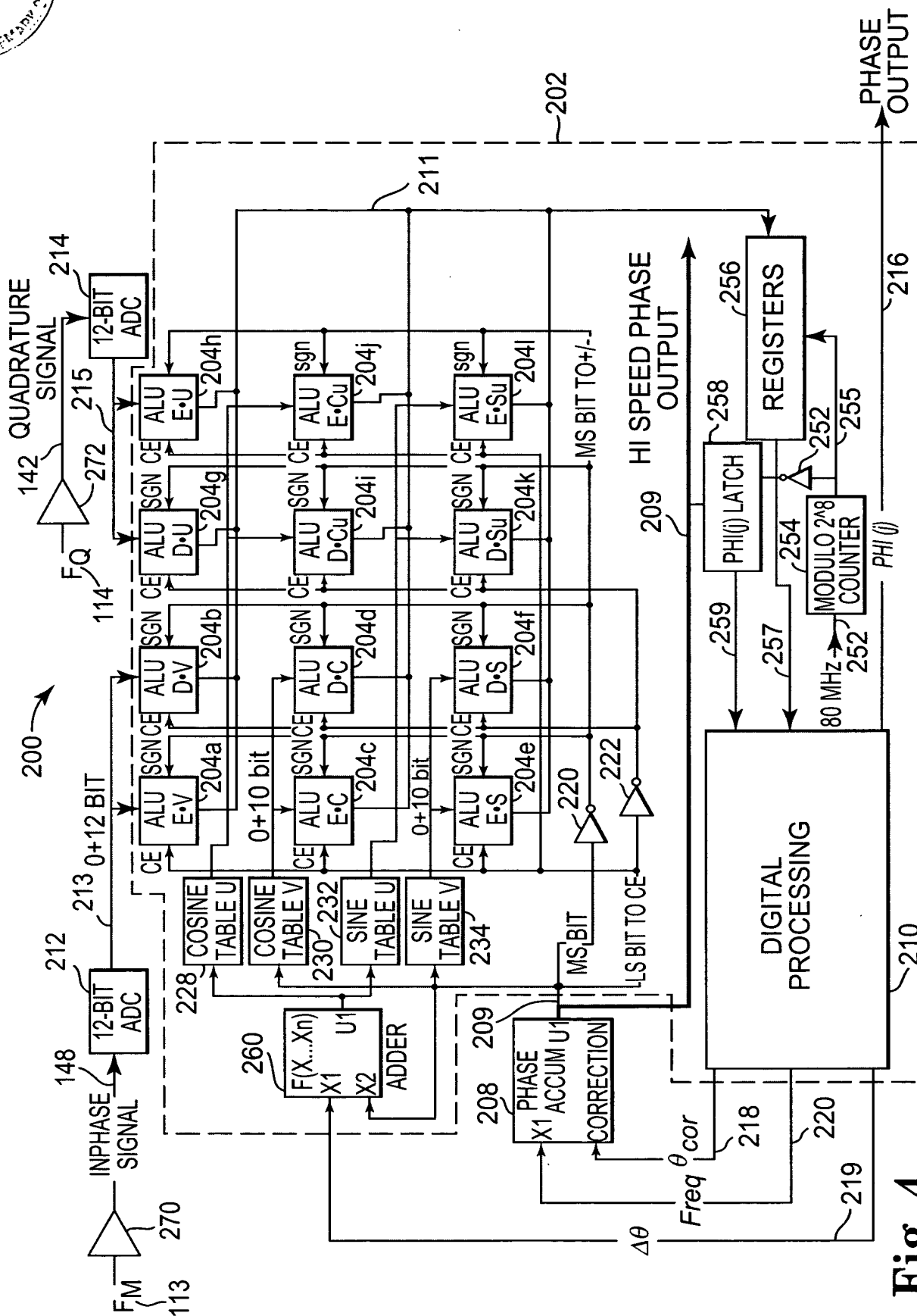
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**IN THE DRAWINGS**

Figure 4 has been amended as indicated in red in the attached annotated sheet showing changes. In addition, a replacement sheet incorporating the amendment to Figure 4 is also attached.



**Fig. 4**